

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al.,

Plaintiffs,

v.

CITY OF SHARONVILLE, OHIO, et al.,

Defendants.

Case No. C-1-01-649
Judge Spiegel
Magistrate Judge Black

AFFIDAVIT OF RAVERT J. CLARK

I, Ravert J. ("Jay") Clark, submit this declaration pursuant to 20(a) U.S.C. §1746:

1. From March 23, 1999, until March 8, 2001, I was retained to represent James Wright and Patricia Kammeyer with respect to pursuing any available claims as a result of the homicide of Marie Schuhholz on May 7, 1981.
2. On or about September 24, 2001, I received a letter from Alphonse Gerhardstein indicating he and Paul Laufman were representing James Wright and Patricia Kammeyer, requesting a copy of my file.
3. After telephone conversations with Paul Laufman regarding my file and what he was looking for, on October 28, 2001, I notified Mr. Laufman I had made the portions he wanted available with my receptionist for him to review and, if desired, copied.
4. Based upon our discussions, Mr. Laufman was aware I had certain documents in my file he did not want copies of, which included copies of Revised Code sections, caselaw, and court documents in cases where Albert Schuhholz was a party in Northern Kentucky.
5. At some point after October 28, 2001, Mr. Laufman came to my office and obtained copies of the portion of my file he asked I make available.
6. In early February, 2004, I received a Federal Subpoena for my file issued by Leslie Ghiz, in Case Number C-1-01-649, styled Kammeyer v. City of Sharonville, with a return date of February 13, 2004.

7. After receiving the subpoena I located the balance of my file.
8. I was unable to locate the portion left with my receptionist for Mr. Laufman to review.
9. As a result of an apparent clerical filing error, I cannot locate this portion of the file.
10. As a result of not being able to locate this portion of the file, I telephoned Paul Laufman and discussed the subpoena and requested he provide me with copies of the documents he obtained from my office.
11. During our discussion, Mr. Laufman agreed to provide me with copies of these documents and indicated he may want to file some type of motion or objection in connection with the subpoena.
12. During our discussion, Mr. Laufman indicated his preference would be for me to disregard the subpoena, while acknowledging my possession of portions of the file he did not obtain copies of.
13. Mr. Laufman requested a copy of the subpoena, which I ask my receptionist to fax to him.
14. I did not hear from Mr. Laufman or anyone else regarding the subpoena until I received a telephone call from Randy Freking in early March, after the February 13th return date, where I had not produced any documents.
15. During this conversation with Mr. Freking, I explained Mr. Laufman had not yet provided me with copies of documents I had been unable to locate since he appeared in my office to review and copy them.
16. During this conversation with Mr. Freking, he indicated he was not interested in the legal research and court records of litigation involving Albert Schulholz.
17. On March 12, 2004, I again requested of Mr. Laufman a copy of all documents he obtained from my office.
18. To this date Mr. Laufman has not provided the requested documents.

19. On March 14, 2004, in response to the subpoena, as modified by Mr. Freking, I produced the portion of my file as subpoenaed, not including documents provided to Mr. Laufman, documents not requested by Mr. Freking, and documents I believed to be privileged or work product.
20. On April 14, in response to a request in lieu of an additional subpoena, I produced the legal research and court records in my file as well as "privilege log" on documents not produced, in response to the Ghiz subpoena.
21. I am unaware of any action taken by Mr. Laufman or Gerhardstein, with respect to the subpoena issued by Ms. Ghiz, from the time I first notified Mr. Laufman about the subpoena in early February, until after I had responded to the subpoena on March 14, 2004.

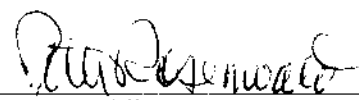
I declare under penalty of perjury under the laws of the United States of America the foregoing is true and correct.

FURTHER AFFIANT SAYETH NAUGHT.


Ravert J. Clark

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

Sworn to and subscribed before me on this 21 day of July, 2004.


Notary Public

PETER ROSENWALD, Notary Public
Notary Public - State of Ohio
My Commission Expires 07/22/2007
Sovereign Notary Public